

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CHRIS MCCOLLOUGH,

Petitioner,

-against-

SUPERINTENDENT FLOYD BENNETT,

Respondent.  
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ROSS, United States District Judge:

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ JUL 11 2006 ★

**BROOKLYN OFFICE**  
02 CV 5230 (ARR)

NOT FOR ELECTRONIC  
OR PRINT  
PUBLICATION

OPINION  
AND ORDER

By letter dated June 19, 2006, petitioner Chris McCollough informed the court that the stay of his habeas petition was incorrectly lifted by order dated June 9, 2006. The court agrees. Therefore, the court reissues the stay, nunc pro tunc, pursuant to Rhines v. Weber, 125 S. Ct. 1528 (2005), until petitioner fully exhausts his additional claims in state court. Petitioner is reminded that he must return to federal court to proceed with his petition for a writ of habeas corpus within 30 days of exhausting his additional claims. Zarvela v. Artuz, 254 F.3d 374, 381 (2d Cir. 2001). Petitioner is advised that he may be barred from proceeding in this court if, having been denied relief in state court, he delays in seeking to reopen these proceedings. In his letter, petitioner also informed the court that his entire legal file was lost during his transfer from one prison facility to another. The court has been advised by respondent that it will furnish relevant parts of the state court record to petitioner.

SO ORDERED.

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Allyne R. Ross  
United States District Judge

Dated: July 10, 2006  
Brooklyn, New York

**SERVICE LIST**

***Pro Se* Petitioner:**

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